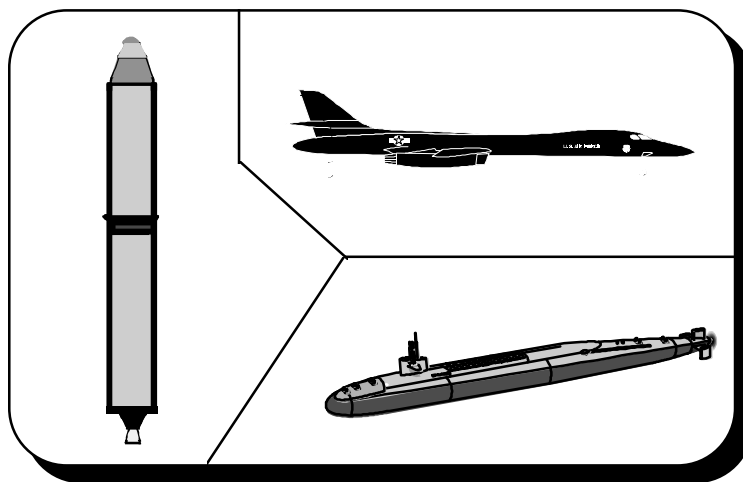


STRATEGIC ARMS REDUCTION TREATY *THE IMPACT*



DEFENSE TREATY INSPECTION READINESS PROGRAM

April 28, 1995 (Reprinted May 1, 1996)

Prepared for:
On-Site Inspection Agency
Security Office
Washington, D.C. 20041-0498
By:
DynMeridian, A DynCorp Company
Alexandria, VA
Under Contract No. OSIA01-90-C-0002

From the DTIRP Industry Outreach series: Order No. 202P

INTRODUCTION

Your facility may be subject to a START Treaty inspection. When the Strategic Arms Reduction Treaty enters into force, a Party to the Treaty may request a special access visit (SAV) at any U.S. facility — military, government or private industry — in order to resolve an urgent compliance concern relating to U.S. obligations under the START Treaty. The U.S. Government will have a very short time in which to decide how to respond to such a request and must be able to rapidly assess how such a visit might impact a facility.

If a SAV is requested at your facility, you will be requested to assist the Department of Defense (DoD) in assessing the potential impact of the SAV on your ability to protect classified, sensitive and proprietary information. The DoD, through its Defense Treaty Inspection Readiness Program (DTIRP), may be available to help you in these areas. This pamphlet provides a brief introduction to the START SAV process and basic inspection planning and preparation measures.



ABOUT START

Inspections And Visits

The START Treaty is an arms control agreement between the U.S., Russia, Ukraine, Belarus and Kazakstan that reduces and limits the strategic offensive arms of those nations. Our Treaty partners will have the right to conduct inspections and visits at U.S. facilities to help verify that the Treaty is not being violated. U.S. START facilities that are related to intercontinental ballistic missiles, submarine-launched ballistic missiles, and heavy bombers have been declared in the Treaty data base and are subject to various types of inspections.

In addition, when a Treaty partner becomes concerned that the United States is violating the Treaty, it may request to visit a facility to confirm that a prohibited activity is not taking place. These visits are called “special access visits” and are permitted to resolve only urgent compliance concerns.

Response To A SAV Request

The DoD will respond to a SAV request by convening a special meeting of the START Compliance Review Group (CRG) to conduct a preliminary assessment and formulate DoD's recommended response to the request. The

Strategic Arms Reduction Treaty

CRG is comprised of senior officials representing acquisition and technology, policy, legal, Joint Chiefs of Staff, security and counterintelligence interests, and when appropriate, representatives from the Army, Navy, Air Force, On-Site Inspection Agency (OSIA) or other DoD agencies.

In conducting its preliminary assessment, the CRG will pay particular attention to the type of activities which occur at the facility and the extent of known classified or sensitive operations. Depending upon the amount and type of information available to the DoD, the facility may be requested to provide additional information or to update relevant information in a very short timeframe.

After consulting with, and gaining the approval of the company's management, the CRG may decide to send a Site Assessment Team (SAT) to the facility to help the company assess its potential disclosure risks, to gather information on whether and how a SAV could be performed, and to develop alternate methods of resolving the compliance concern.

The Office of the Under Secretary of Defense for Acquisition and Technology (OUSD(A&T)) either leads



the SAT or may appoint the Army, Navy or Air Force to do so when appropriate. Other designated SAT members include the Office of the Under Secretary of Defense for Policy (OUSD(P)), Office of the Assistant Secretary of Defense for Command, Control, Communications and Intelligence (OASD(C3I)), and OSIA. The SAT supports development of a recommendation to the START CRG for a DoD response to the SAV request.

Based on DoD's recommendation, the U.S. government may respond to a SAV request in one of three ways: it may refuse to allow the SAV to take place; it may attempt to resolve the concern using other means; or it may agree to allow the SAV. The decision among these options must be made within a short timeframe and will be based primarily on DoD's assessment of the risk of disclosing classified, sensitive and proprietary information during the SAV.

DTIRP

Representatives from the Defense Treaty Inspection Readiness Program (DTIRP) will be available to provide security and countermeasures assessment expertise during preliminary assessment and SAT activities. DTIRP is a Department of Defense program designed to help DoD agencies, military services

and contractors in protection of national security interests and critical technologies with respect to arms control treaties. DTIRP is supported by subject matter experts and security specialists from the National Security Agency, Central Intelligence Agency, Defense Intelligence Agency, Federal Bureau of Investigation, Defense Investigative Service, Defense Nuclear Agency, Defense Evaluation Support Activity, Defense Information Systems Agency, Arms Control Intelligence Staff, Department of Energy, various Military Services, other Executive Branch agencies, as well as OSIA. These personnel have experience in the application of arms control provisions during treaty inspections and can assist in determining the vulnerability of sensitive programs, information and critical technologies during such activities.

SELF-ASSESSMENT

DoD contractors must protect classified and sensitive programs, activities and information; and all companies will want to prevent the inadvertent disclosure of proprietary information and processes. Accordingly,

*Preparatory
Efforts*

Strategic Arms Reduction Treaty



it is important to identify such concerns before your facility is identified for a SAV. You should first identify those areas, programs, assets, processes and information which might be adversely affected by a visit. A careful walk-through of your entire facility is an important part of this process since inspectors may ask to walk around, through, and into many areas of your facility. A prior examination of your facility will ensure that preparatory efforts are thorough and complete. A U.S. team of experts can recommend measures to minimize or prevent disclosure of sensitive information to a foreign inspection team. Facility managers will be permitted, as a minimum, to shroud and otherwise restrict access to and within structures based solely on the dimensions of the treaty item of concern. Moreover, a SAV may prompt a facility to decide to temporarily shut down, interrupt, or alter facility operations.

***What is
Sensitive?***

You should assess the sensitivity of the various programs, activities, and processes that could be observed by foreign inspectors during a SAV and prepare a list of concerns. The DoD needs a thorough understanding of your facility's sensitivities and issues in order to make its recommendation regarding a SAV, and

such an assessment will help you to rapidly convey your concerns when queried. It is also essential in determining what must be protected should a SAV occur.

You already know of most programs or other company information that you would not want revealed to a potential competitor or a foreign inspector. Sensitive business information, which includes any technology, process or other proprietary data which provides your competitive edge, can only be determined by your company.

Less obvious activities and information must be identified and assessed as well. One aid to self-assessment that is often overlooked involves a thorough examination of company newsletters, relevant newspaper articles, or other information in the public domain; awareness of public information will help you to focus your concerns.

Information available in open sources is usually not sensitive, and it is highly unlikely that you will be able to use it as justification to deny a SAV request. In fact, most members of a SAV team will likely already have a great deal of information from open sources prior to arrival at your facility.



What Must Be Protected?

As a result of identifying and assessing the sensitivity of areas potentially impacted by a SAV, you will undoubtedly want to protect many areas, programs and processes, and other information that are not related to START missiles and bombers. If the U.S. Government decides to grant a SAV at your facility, you must devise a means of protecting all of this information, while providing sufficient access to an inspection team to demonstrate that the U.S. is not engaged in activities prohibited by the START Treaty.

ACCEPTING A SAV

SAV Inspection Activities

If the U.S. Government decides to grant a SAV, the inspection team should seek only that information necessary to resolve the urgent compliance concern that prompted the SAV request. But, in contrast to other types of START inspections, there are no Treaty procedures governing a SAV. For each SAV, the U.S. and the concerned Party will negotiate the access procedures that are needed to resolve the compliance concern while minimizing the risk of disclosing unrelated information.

Strategic Arms Reduction Treaty

Relevant procedures from the Treaty's Inspection Protocol may be used. The provisions of the Inspection Protocol outline permissible activities during inspections other than SAVs. Those activities include visual observation of designated areas, measurement of covered objects, taking of photographs, and inspector access restrictions based on the size of Treaty-limited items.

A major concern posed by a SAV is the possibility of unintentional technology losses that could affect U.S. national security and our economic competitiveness. While clearly not a right granted by the Treaty, SAV inspectors could attempt to gather collateral intelligence about activities unrelated to START.

The Impact

Because temporarily suspending or reducing the level of facility operations can be expensive, most facility operations normally continue during a SAV. These operations must be carefully assessed to avoid an unintentional transfer of technology of the manufacturing process. SAVs could also pose personnel and safety concerns if an inspection involves areas where nuclear material, propellant or other hazardous materials are present.



***An Important
Consideration***

***Demonstrating compliance
with the START Treaty is a
primary objective of the U.S.
Government when making its
decision regarding a SAV request.***

In other words, the U.S. will want to show that there are no prohibited activities taking place. Granting a SAV would, of course, be the most straightforward means of demonstrating compliance. If this is the case, there will undoubtedly be some negotiating between the affected facility and the U.S. Government over the amount and type of access to be granted and the methods of protection to be used to protect information unrelated to the compliance concern.

Both the United States and the facility have an obligation to protect classified, sensitive and proprietary information, and to demonstrate that “nothing prohibited is occurring.” To support this objective, declared START facilities that are subject to other types of inspections plan to use several measures that are economical, yet effective, both in demonstrating compliance with the Treaty and protecting sensitive information unrelated to the Treaty.

COUNTERMEASURES

DTIRP personnel have extensive experience in developing security countermeasures to prevent the loss of non-treaty information during arms control inspections of U.S. facilities. DTIRP assets may be available to assist in minimizing an inspection's impact on your facility's operation, particularly by recommending practical and cost-effective security countermeasures that are tailored to your facility's needs. Some of the measures which have proven effective are summarized in the following paragraphs.

DTIRP Assistance

Careful inspection route planning is often the easiest and most economical method of protecting sensitive areas. By simply escorting the SAV team on a predetermined route, both between and within buildings, escorts can prevent the team from seeing many classified, sensitive or proprietary activities.

Route Planning

When a facility believes it cannot grant access into a building or area that is requested by an inspection team, an alternative means of demonstrating

Alternatives



compliance must be suggested for the area. Examples of such alternative means include offering to show the team convincing photographs or other documentation related to the compliance concern, or allowing inspectors to view the area through a window or doorway without entering the structure. Another alternative would be to restrict access to two or three inspectors rather than the entire team.

Shrouding

In most areas, limited access can be permitted with a facility and OSIA escort if sensitive objects or processes are properly protected. Shrouding has been used effectively during inspections under other treaties and simply involves the partial or complete covering of sensitive items/information. For example, a facility could have a proprietary process that is based upon a special component manufactured by another company. By covering the component, or perhaps only the name of that manufacturer, the facility could protect trade information that it considers sensitive.

The DoD has developed a number of shrouding techniques and evaluated various shrouding materials. Shrouding can be a comparatively inexpensive protective measure, depending upon the

Strategic Arms Reduction Treaty

type and extent of shrouding material that is required. When used in an appropriate manner, shrouding can be a relatively effective method of protecting sensitive information.

In extreme cases where other countermeasures are ineffective, it may be necessary to temporarily shut down or move highly sensitive operations or objects into areas that cannot be inspected because of access restrictions based on the size of the Treaty-limited item that caused the compliance concern.

Last Resort

Based on its vulnerability assessment, DTIRP may recommend any combination of the above countermeasures to protect sensitive programs, information and critical technologies. However, the final decision regarding the application of specific countermeasures rests with the DoD sponsor and the affected facility.

ADDITIONAL CONSIDERATIONS

Several factors must be considered when determining what protective measures should be used at your facility.

Strategic Arms Reduction Treaty



Resources

Cost is a major concern. You and your DoD sponsor must consider how much each protective measure, or perhaps combination of measures, will cost in terms of the manpower, time and materials needed both to prepare for an inspection and to resume normal operations. Partial or complete shutdown of facility operations could be even more expensive than the other countermeasures.

Unintended Effects

Effective use of security countermeasures requires considerable forethought; improper use of countermeasures can produce undesired consequences. For example, limited shrouding in an area may cause the SAV team to focus on the shrouded objects. At the other extreme, excessive shrouding or denial of inspector access could signal that sensitive activities may be present. This could heighten the SAV team's concern and slow the visit. It could also complicate verification of compliance with the Treaty. You must carefully consider the proper mix of countermeasures and degree of application to avoid unintended effects.

DoD ASSISTANCE

DTIRP was established to assist the defense and contractor communities in developing security countermeasures to limit the loss of information during inspections of U.S. facilities under arms control treaties like START. DTIRP's assets may be available to assist you in identifying, assessing, and protecting vulnerabilities during a special access visit.

DTIRP

This pamphlet introduces elementary self-assessment concepts and security countermeasures that can be used to manage the impact of a START SAV at your facility. For information and assistance on START special access visits, contact the Office of the Under Secretary of Defense for Acquisition and Technology, Strategic and Tactical Systems, Arms Control Implementation and Compliance (OUSD(A&T)/S&TS/ACI&C) at 703-695-7840. For information and assistance on developing security countermeasures, contact the DTIRP Outreach Program at 1-800-419-2899.

Who To Call



NOTES

Strategic Arms Reduction Treaty



1-800-419-2899

**Attn: Security Office (SO)
On-Site Inspection Agency
201 West Service Road, Dulles IAP
P.O. Box 17498
Washington, D.C. 20041-0498**

Defense Treaty Inspection Readiness Program